



Order Filed on February 25, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

DENISE CARLON, ESQUIRE
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Attorneys for Secured Creditor
Toyota Motor Credit Corporation

In Re:

Robinson Rosario,

Debtor.

Case No.: 19-26982 VFP

Adv. No.:

Hearing Date: 11/7/19 @ 8:30 a.m.

Judge: Vincent F. Papalia

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED

DATED: February 25, 2020



Honorable Vincent F. Papalia
United States Bankruptcy Judge

Page 2

Debtors: Robinson Rosario

Case No.: 19-26982 VFP

Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor Toyota Motor Credit Corporation, holder of a vehicle 2013 Buick Enclave, VIN:5GAKRCKD8DJ141934, Denise Carlon appearing, by way of objection to the confirmation of Debtors' Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Roman Akopian, Esquire, attorney for Debtor, Robinson Rosario, and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** that Secured Creditor's lien shall be paid in full through Debtor's Chapter 13 plan at an interest rate of 6.25%; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the parties mutually agree on a value of \$12,964.87 for the subject vehicle; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the total due to Secured Creditor, including interest, shall be \$15,129.43, consisting of the agreed value of \$12,964.87 and \$2,164.56 in interest that will accrue during the course of Debtor's Chapter 13 plan over 60 months;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that any additional products and servicers that were purchased are hereby cancelled, including prepaid maintenance, mechanical breakdown, tire and wheel, documentation, and theft recovery, if said add-ons have not already been paid in full; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the Debtor shall maintain insurance on the vehicle in accordance with the terms of the loan documents during the entirety of this case and shall furnish proof of same annually and upon request;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that Toyota Motor Credit Corporation's lien shall remain on the subject vehicle until Debtor has completed all plan payments and receives a discharge in this case; and

Page 3

Debtors: Robinson Rosario

Case No.: 19-26982 VFP

Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTOR'S CHAPTER 13 PLAN**

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** Toyota Motor Credit's lien will only be released upon the Debtor's receipt of his discharge and completion of his Chapter 13 Plan. Any dismissal of the case or conversion to a Chapter 7 will result in a full reinstatement of the lien; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that the lien shall be released and extinguished upon the successful completion of the Debtors' Chapter 13 plan; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that Toyota Motor Credit Corporation shall file a release of the lien within 30 days of the date of the service of Debtors' discharge; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that in the event Toyota Motor Credit Corporation fails to discharge its lien or mortgage within the prescribed period, the Debtors and/or Debtors' counsel may file a certified or exemplified copy of this order, along with a copy of the bankruptcy discharge order, which shall have the same force and effect of a discharge of lien; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that Toyota Motor Credit Corporation's objection to confirmation is hereby resolved.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New Jersey

In re:
Robinson Rosario
Debtor

Case No. 19-26982-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 25, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 27, 2020.

db +Robinson Rosario, 179 Cambridge Avenue, Garfield, NJ 07026-3341

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 27, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 25, 2020 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor FREEDOM MORTGAGE CORPORATION nj.bkecf@fedphe.com
Andrew L. Spivack on behalf of Creditor Freedom Mortgage Corporation nj.bkecf@fedphe.com
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Kevin Gordon McDonald on behalf of Creditor Toyota Motor Credit Corporation
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com
Marie-Ann Greenberg magecf@magtrustee.com
Robert Davidow on behalf of Creditor FREEDOM MORTGAGE CORPORATION nj.bkecf@fedphe.com
Roman Akopian on behalf of Debtor Robinson Rosario romanakopian.law@gmail.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
William M.E. Powers on behalf of Creditor Freedom Mortgage Corporation ecf@powerskirn.com
TOTAL: 9